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Docket No. 61766/JPW/GJG

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Alan R. Tall  
Serial No. : 09/560,372  
Filed : April 28, 2000  
For : HUMAN ABC1 PROMOTER AND ASSAYS BASED THEREON

1185 Avenue of the Americas  
New York, New York 10036  
November 8, 2000

Assistant Commissioner for Patents  
Washington, D.C. 20231

ATTN: Box Missing Parts

Sir:

COMMUNICATION IN RESPONSE TO OCTOBER 19, 2000 NOTICE  
TO FILE MISSING PARTS OF APPLICATION FILING DATE GRANTED

This Communication is submitted in response to an October 19, 2000 Notice to File Missing Parts of Application - Filing Date Granted issued by the United States Patent and Trademark Office in connection with the above-identified patent application. A response to the October 19, 2000 Notice is due December 19, 2000. Accordingly, this Communication is being timely filed.

The Notice to File Missing Parts of Application indicates that the oath or declaration is missing. Applicant attaches hereto a copy of the Notice as **Exhibit A**. In response, applicant hereby submits an executed Declaration and Power of Attorney in compliance with 37 C.F.R. §1.63 as **Exhibit B**. The Declaration refers to the application's above-identified serial number and filing date.

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The surcharge under 37 C.F.R. §1.16(e) for responding to the Notice to File Missing Parts of Application is SIXTY FIVE DOLLARS (\$65.00) for a small entity. Small entity status has previously been established. A check for a total amount of \$65.00 is enclosed to cover the surcharge for filing the enclosed Declaration and Power of Attorney.

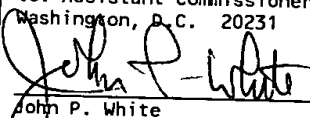
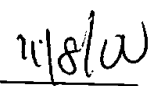
If a telephone interview would be of assistance in advancing prosecution of the subject application, applicant's undersigned attorneys invite the Examiner to telephone him at the number provided below.

No fee, other than the enclosed \$65.00 surcharge fee, is deemed necessary in connection with the filing of this Communication. If any additional fees are required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.



Respectfully submitted,

John P. White  
Registration No. 28,678  
Attorney for Applicant  
Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, New York 10036  
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents Washington, D.C. 20231	
 John P. White Reg. No. 28,678	 Date

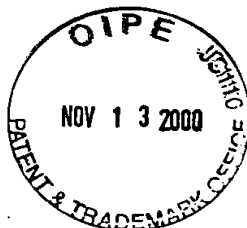


## UNITED STATES PATENT AND TRADEMARK OFFICE

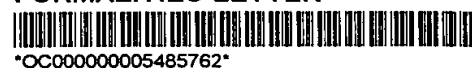
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/560,372	04/28/2000	Alan R. Tall	61766/JPW/GJG

Cooper and Dunham LLP  
1185 Avenue of the Americas  
New York, NY 10036



## FORMALITIES LETTER



\*OC000000005485762\*

Date Mailed: 10/19/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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01 FC:205 65.00 DP

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10/18/00